

JUSTIFICATION AND APPROVAL FOR OTHER THAN FULL AND OPEN COMPETITION (OVERSEAS CONTRACTING ACTIVITIES)

1. I recommend that Embassy *Jakarta* use other than full and open competition for the acquisition of Service Package from ***PT. EOD TECHNOLOGY located in Komplek Ruko Bidex CBD Blok E/7 Kel. Lengkong Gudang Kec. Serpong Tangerang.*** The estimated cost is \$

2. **Nature and/or description of the action being approved**

DSS/ATA has provided equipment and training to the Indonesian National Police Tactical Teams which are deployed throughout Indonesia. The equipment that has been previously purchased was shipped from DSS/ATA Headquarters or directly from a vendor located in US.

This request is for authorization for a Follow-On Contract in order to procure the services needed to maintain and repair some of the equipment that has been used and broken in a timely manner.

A description of the supplies or services required to meet the agency's needs. See attached list of items and supplies.

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- **Robot and X-ray repairs** – The vendor needs to travel to several provinces throughout Indonesia to repair and provide maintenance for some of the DS/ATA granted equipment that is broken or requires routine maintenance. The equipment in question includes Allen Vanguard counter improvised explosive device robots, disruptors and x ray machines. The technical nature of this equipment requires that only certified parts and authorized mechanics are used for repairs and service. PT EOD technology is the only authorized vendor in Indonesian and Singapore.

4. **An identification of the statutory authority permitting other than full and open competition.**

Citation: 41 U.S.C. 253 (c)(1).A sole source award is required to assure compatibility or interchangeability of parts between the procured item and existing equipment.

Citation: 41 U.S.C. 253 (c)(2).

Applies when the need for the supplies or services is of such an unusual and compelling urgency that the Government would be seriously injured, financially or otherwise, unless the Department is permitted to limit the number of sources from which it solicits bids or proposals.

5. **A demonstration that the proposed contractor's unique qualifications or the nature of the acquisition requires use of the authority cited (for sole source acquisitions; also required for unusual and compelling urgency where more than one offer will not be solicited).**

The identified vendor is the sole source and the only authorized vendor for Indonesia and Singapore for maintaining the type of equipment which needs to be repaired. The proper maintenance and repair of this equipment has safety implications for police officers and private citizens.

6. **A description of efforts made to ensure that offers are solicited from as many potential sources as is practicable. The description should include whether a FedBizOps notice was or will be publicized, as required by FAR 5.2, and if not, which exception under FAR 5.202 applies (e.g., blanket waiver provided in DOSAR 605.202-70).**

Since the vendor is the sole source and authorized vendor for Indonesia and Singapore, it is impossible to have another vendor to compete the service needed. Research has been conducted regarding having an engineer travel from the US or Canada to Indonesia but it is cost prohibitive for a one-time repair trip and impossible for bi-yearly or quarterly maintenance.

7. **A determination by the Contracting Officer that the anticipated cost to the Government will be fair and reasonable. N/A**
8. **A description of the market survey conducted and the results or a statement of the reasons a market survey was not conducted. N/A**

Due to the exclusive nature of the service involved the availability of other sources is greatly limited and would entail overseas travel, exorbitant labor costs

9. **Any other facts supporting the use of other than full and open competition. N/A**
10. **A listing of sources, if any, that expressed, in writing, an interest in the acquisition. N/A.**
11. **A statement of the actions, if any, the agency may take to remove or overcome any barriers to competition before any subsequent acquisition**

for the supplies or services required. If a second Allen Vanguard vendor establishes business in Indonesia, ATA will welcome competitive quotes from the new company.

CERTIFICATIONS

I certify that this justification is accurate and contains complete data necessary to support the recommendation for other than full and open competition.

April 8 2013
08 April 2013

Wendy Brantley

Requirements Office

I certify that this submission is accurate, and that it contains complete information necessary to enable other officials to make an informed recommendation for approval or disapproval.

4/18/13
Date

Grace H. Choi
Contracting Officer